

DATE: July 1, 2005; **Revised December 19, 2007**

TO: Office of Drinking Water Staff

THROUGH: J. Wesley Kleene, Ph.D., P.E., Director, Office of Drinking Water

FROM: Susan E. Douglas, P.E., Field Services Engineer

SUBJECT: Permits & Project Review - Operation Permit Procedures

RELATED: WM 784 (Permit Application Process),
WM 865 (Capacity Evaluation), WM 879 (Construction Permits),
WM 896 (Policy for Issuing Operation Permits)

Summary Statement

An Operation Permit will be issued for all drinking water systems that are classified as a waterworks. The procedures for drafting and issuing, revising or revoking an Operation Permit are given here. This memorandum should be used in conjunction with WM 896 - Policy for Issuing Operation Permits.

Revision Highlights:

Includes a mandatory Operation Permit Template (Appendix A) and revises related text accordingly. Deletes Groundwater Under the Direct Influence of Surface Water determination period example for Temporary Permits.

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1. GENERAL

§12VAC 5-590-190 of the *Waterworks Regulations* requires all public waterworks or water supplies in Virginia to be operated under the authorization of an Operation Permit issued by the Commissioner. This authority has been delegated to the Office of Drinking Water (ODW).

ODW issues new Operation Permits for the following situations:

1. New waterworks identified
2. New waterworks constructed

ODW issues Amended Operation Permits for the following situations (see section 9 of this memo):

1. Changes in ownership, name, waterworks classification or type
2. Changes in design capacity
3. Changes to the treatment process or equipment
4. Changes to the storage or distribution systems¹
5. Reactivation of existing waterworks (with or without changes in ownership, name or system type)
6. Special operating conditions
7. Correction of previous permit errors

Reference WM 784 for additional information on the permit application process.

2. OPERATION PERMITS

The legal owner (individuals, partnerships, corporations, governmental bodies, etc.) of a drinking water system shall be issued an Operation Permit. “Legal owner” is generally understood to mean the entity that owns the property where the source is located, and the waterworks’ major appurtenances. In very limited circumstances, it is permissible to issue the permit to an entity other than the legal owner, if there is a contractual agreement between the owner and the entity to whom responsibility is being assigned. ODW shall not provide legal advice to the owner, but should look for these features in the agreement:

- Address issues of access
- Identify the infrastructure (physical elements of the waterworks)
- Assign responsibility for maintenance, repair, and replacement of infrastructure
- Assign responsibility for compliance with the Regulations
- Identify the duration of the agreement

Three types of operation permits are described in WM 896: standard, temporary, and provisional. Each type of Operation Permit consists of a permit plus an attached Engineering Description Sheet (EDS), which includes the waterworks’ description and capacity determination.

Standard Operation Permits shall NOT be issued conditionally (i.e.: an action is required first, such as the drilling of a new well, or testing of a pump to determine/verify capacity). However, special requirements may be included with all Operation Permit types, which are enforceable with the permit.

The issuance of an Operation Permit may be delayed or denied by the failure of the owner or owner’s agent to complete the application process or submit a business plan, as explained in WM 784 and WM 896.

¹ Distribution system water line extensions that have no impact on design capacity (or modify the EDS) do not require a permit amendment.

Format

The standard Operation Permit format that is to be used is provided in Appendix A (template located at ODWShare:\03-Memos\301-Active Working Memos\301.02-Forms Letters Manuals\WM885-Operation Permit). The model permit's appearance (layout, fonts, line spacing, etc.) must be maintained in all permits submitted for signature. The following guidelines must be followed:

1. Only general references to the *Code of Virginia* and the *Waterworks Regulations* are used in the operation permit, as shown in the template. Modifications to the standard permit format for Temporary and Provisional permits are described later in this memo.
2. Designate waterworks class or note as "unclassified" (permit) and operator class (EDS) in Roman numerals.
3. Designate nontransient noncommunity and transient noncommunity status without hyphens or slashes.
4. Do not include "VA" in the permit number.
5. Underlines are not to be used in the fill in portions of the permit, except for an underline for the Director's signature).
6. Use Expiration date line only for Temporary or Provisional permits.
7. If a city is the owner, then issue to "City of..." For a town, use "Town of..." Do not include the County name for cities and towns.
8. If the "name of the service area" is subject to change because the tenant is not the property owner (as is the case with many transient noncommunity systems), a property address and/or description may be substituted for a proprietary name.
9. Do not refer to permit issuances to previous owners in the permit face or EDS.

3. OPERATION PERMIT NUMBER

All permit numbers will be assigned and maintained at the Field Offices. The PWS Identification Number will be used as the Operation Permit Number. This is a seven-digit number as follows:

1st Digit; Field Office Number

- 1 – Abingdon
- 2 – Lexington
- 3 – Southeast
- 4 – East Central
- 5 – Danville
- 6 – Culpeper

Digits 2 – 4: City/County Code

Refer to Appendix B.

Digits 5 – 7: Sequence Number

The sequence number ranges from 000 through 999. The system will accommodate 1,000 waterworks in each city or county. Previously assigned numbers maintain an alphabetical series for each city and county. New waterworks are assigned a sequence number based on the alphabetical name, using a number halfway between two existing numbers in the alphabetical order.

Waterworks that have been inactivated, and become active with or without a change in ownership, name or waterworks classification, shall retain the previously-issued PWSID and Operation Permit number.

4. ENGINEERING DESCRIPTION SHEET

An Engineering Description Sheet (EDS) will be provided with each permit. The EDS format is provided in Appendix C. The EDS will provide important system information, including a description of the waterworks, and a design capacity evaluation as identified in the example provided in Appendix C.

The EDS shall include the effective date of the current permit issuance. At the Field Director's discretion, previous amendments to the permit may also be included in the EDS, if they were made to the current owner. A history may also be included in the EDS for community or nontransient noncommunity waterworks, to clarify ownership, name, or classification changes, or to describe inactive periods.

The operator's classification shall be designated in Roman numerals.

5. DESIGN CAPACITY DETERMINATION FOR PRIMARY AND CONSECUTIVE WATERWORKS

Primary waterworks own at least one active source of raw water.

Consecutive waterworks receive finished water from one or more other waterworks.

A waterworks may be considered both a primary and a consecutive waterworks, if both criteria (listed above) are satisfied.

The sum of the storage on both the primary and consecutive waterworks should be adequate for the sum of the connections, as demonstrated by computations and/or hydraulic modeling. (Refer to WM 865 for further information on storage capacity evaluation). Consecutive waterworks are NOT required to have separate storage when it is adequately provided for and can be reliably delivered by the primary waterworks. An allocation of both source and storage between the primary waterworks and consecutive waterworks shall be identified in the EDS attached to the primary waterworks' permit. This allocation shall be tabulated as shown in Appendix C.

The District Engineer (DE) shall identify and obtain a copy of any contractual agreements and limitations on water transfer between primary and each consecutive waterworks. ODW shall encourage all consecutive waterworks to obtain firm gallons-per-day contracts, so that their growth will not be limited by another waterworks' service area growth. Allocations of source (production) capacity and storage should be defined in the purchase agreement.

Permitting of consecutive waterworks shall follow these procedures:

1. Identify point(s) of water transfer.
2. Identify and obtain a copy of any contractual limitations on water transfer.
3. Identify any physical or design limitation on water transfer (for example, a pump station may establish the capacity at a particular connection).
4. Identify water transfer limitations due to primary source capacity and primary system water use (the sum of the parts \leq the whole).
5. The permitted capacity of the consecutive waterworks shall be the lowest identified capacity limitation.

In cases where a waterworks does not have a contractual or written agreement (or the contract does not stipulate a quantity), but on-going receipt of water can be demonstrated, the historical water usage shall be used as a basis for allocating waterworks capacity. The maximum monthly consumption over a

period of at least 2 years is recommended as a design value. Background information and additional rationale shall be included in a transmittal memo with the permit to the Central Office.

When a Temporary Operation Permit for the consecutive waterworks (purchaser) is issued, the expiration date of the permit and the purchase contract shall be the same. (See section 10).

Verify and update the applicable Combined Distribution System schematic located on “ODWSHARE”, and include a paper copy with the Operation Permit and transmittal memo to the Central Office.

For more information on Design Capacity Evaluations see WM 865.

6. PERMIT PROCESSING AND ROUTING

The District Engineer (DE) is responsible for the permit program within the district. The DE will prepare or supervise the preparation of a permit and necessary documents for each waterworks within the district, and conduct all investigations necessary to insure that the permit is accurate. The Deputy Field Director shall provide a technical review of the Operation Permit and all attachments before forwarding to the Field Director (FD).

The FD is responsible for all aspects of the permit program within the Field Office region. The FD reviews the permit and associated documents, and if no corrections are needed, forwards the permit to the ODW Director in the Central Office with the Operation Permit Checklist (see Appendix D).

The permit package is received in the Central Office, logged in by the clerical staff, and given to the Technical Services team for review. After satisfactory review, the Permit and all attachments (EDS, Variance, Special Permit Requirements, or rarely, an Exemption) are forwarded to the Director for signature. Copies of the signed permit and attachments are made for the Central Office files, and the originals are sent back to the Field Office.

When the signed permit is received back in the Field Office, the DE prepares a transmittal letter using the template found in Appendix E, and mails the permit with attachments to the owner. A copy of the letter is sent to the Central Office files.

Appendix E contains sample paragraphs that may be included for the following circumstances:

- 1) the permit is an amended permit;
- 2) the waterworks is “grandparented” (serves to notify the owner that the “grandparented” status may be terminated by expansion, modification, failure to maintain reliability, or future sale);
- 3) a Temporary Permit is being issued (described in section 10 of this memo);
- 4) Special Permit Requirements are attached;
- 5) a Variance is included;
- 6) the waterworks has been, or will be, issued a draft or final Groundwater Withdrawal Permit by DEQ;
- 7) the waterworks has been, or will be, issued a draft or final surface water withdrawal permit (VPA or Joint Permit) by DEQ.

7. VARIANCES AND EXEMPTIONS

Variances, when granted, are usually issued with an operation permit. They may be issued separately, without amending an existing permit. Variances only apply to Part II of the *Regulations*. When issued with the operation permit, the variance shall be transmitted with the permit, and a check mark made on the face of the operation permit to indicate that a variance is granted. No reference to a variance shall be made in the EDS.

Variances are typically granted for the following:

- 1) Operator personnel, 12VAC 5-590-460 B
- 2) Metering of total water production, 12VAC 5-590-520 B
- 3) Cross connection control program, 12VAC 5-590-580

Waterworks may be issued a Temporary Operation Permit when additional measures are required to meet a PMCL or Treatment Technique requirement, as described in section 10. Variances and Exemptions are allowed in the *Regulations* for this purpose, but should rarely be issued. Variances to an SMCL are also permitted in the *Regulations*, but should not be issued.

The Office of Drinking Water may initiate temporary operational variances for waterworks that are new to our surveillance. Extraordinary circumstances will be handled on a case-by-case basis.

Current policy allows transient noncommunity waterworks producing less than 10,000 gpd a metering variance, which remains in effect as long as water production remains below 10,000 gpd. The water production / consumption shall be estimated in the EDS Capacity Evaluation, as explained in WM 865, in order to justify the variance. However, installation of meters in all waterworks should be encouraged.

The variance format is provided in Appendix F. The variance should clearly and completely specify deviations from the regulatory requirements that are being granted. An expiration date, other appropriate conditions and information to support the variance request may also be included as necessary.

8. INSUFFICIENT DATA FOR CAPACITY DETERMINATION

The reliability status shall be firmly established before determining whether to issue an Operation Permit, or which permit type (standard or temporary), in accordance with WM 896. Where insufficient data is available to establish hydraulic capacity, but a decision has been made to reissue the permit for the existing services, then “existing” should appear in the EDS and permit. By example,

- a TNC waterworks is issued a permit with capacity stated: “One existing structure with 80 existing restaurant seats”
- an NTNC waterworks is issued a permit with capacity stated: “existing service up to 950 students and staff”.

9. AMENDED PERMITS

Code of Virginia §32.1-173 authorizes the amendment of permits. There are numerous reasons to amend Operation Permits, including correction of errors in the permit, changes in major equipment, special operating conditions, and change in design capacity. Refer to section 1 of this memo for a listing of conditions requiring a permit amendment.

Notification

The DE shall inform the owner of changes to the operation permit BEFORE it is issued. This notification shall be by written letter, sent by certified mail, return receipt requested, when the proposed permit amendment:

- Is a unilateral decision made by ODW (the owner did not request amendment of the permit, or apply for a construction permit), and
- Will curtail the existing rights of the permit holder (e.g. reduce capacity of the waterworks, which will reduce the owner’s right to serve customers)

The letter to the permit holder shall state that it is our intention to amend the permit and the reason(s) for the amendment. The notice shall also contain a request that the permit holder notify ODW in writing if they object to the amendment of the permit. Use the letter given in Appendix G, Notice of Intent to Amend Permit.

If the permit holder objects to the amendment of the permit, then a hearing must be held, as required in 12VAC5-590-160. These situations must be referred to the Director of Hearings and Legal Services in the Central Office.

If the certified mail is returned undelivered, then the DE should make every effort to contact the permit holder in person, email or by telephone. If these attempts are unsuccessful, then the DE shall proceed to issue the amended permit.

Procedures

The following procedures shall be followed when amending a permit:

1. Retain existing permit number (Add a "T" for temporary permits, "P" for provisional permits, as described later in this memo)
2. Modify EFFECTIVE DATE of permit
3. Add EXPIRATION DATE for temporary or provisional permits
4. Modify date of Engineering Description Sheet (on both the permit and the Description Sheet), if applicable.

When the amended permit is forwarded to the ODW Director, the Operation Permit Checklist should include a brief explanation for the permit amendment in the "Comments" section of the Transmittal Checklist.

Be sure that a copy of the amended permit is also sent to all entities (local governments, etc.) that received a copy of the original permit from ODW. Include an explanation that the amended permit replaces and nullifies the original in the transmittal letter to the owner. Also direct the owner to destroy the original permit immediately.

10. TEMPORARY PERMITS

A Temporary Operation Permit allows additional time for the waterworks to achieve required reliability or performance standards, collect additional data, perform tests and/or determinations to establish hydraulic capacity. These actions are enumerated in Special Permit Requirements, which are attached to the permit with the EDS.

A Temporary Operation Permit may be appropriate for the following circumstances:

- 1) Upon expiration or modification of an existing water purchase contract, where a new agreement includes a termination date which is less than 5 years from the Operation Permit issuance date (otherwise issue a standard permit);
- 2) To support an Enforcement action (Administrative Order) requiring specific studies or improvements;
- 3) Existing source(s) that have shown declining yield over time, as documented by sanitary surveys and monthly operation reports. Groundwater wells would require a yield and drawdown test; other sources may require special studies and evaluations. (Note that the permit process would require a permit revocation prior to issuance of a Temporary Operation Permit);
- 4) Newly-discovered or reclassified waterworks having groundwater sources without well yield and drawdown test results, or with test results that do not meet requirements of the *Regulations*, and where reliability has not been demonstrated (see WM 896).

Special Permit Requirements may include facility improvements related to source, treatment, storage or distribution, or source yield determinations (wells, springs, etc.). Refer to Appendix H for a template of Special Permit Requirements.

A “T” shall be placed at the end of the permit number, and an expiration date shall be included below the effective (issue) date. The expiration date will depend on the reason for issuance, and the date determination shall be documented by the Field Office and included with the permit package sent to the Director for approval. Generally a Temporary Permit shall expire in 12 – 18 months, and should not extend more than 24 months.

Temporary Operation Permit issuance and expiration dates shall be tracked in a database on “ODWSHARE”.

A standard Operation Permit should be issued before the Temporary Permit expires if the Special Permit Requirements have been completed. If not, an NOV shall be issued for operating without a permit, and enforcement actions will ensue as necessary.

11. PROVISIONAL PERMITS

A Provisional Permit may be allowed by *Regulation* §12 VAC 5-590-290 for water treatment methods, processes, or equipment which are not covered by the design criteria in Part III or Part IV of the *Regulations* and which in principle and/or application are new or non-conventional. A Provisional Permit allows additional time for testing and evaluation of the treatment method, process, or equipment to establish confidence the waterworks will operate as proposed. Refer to §12 VAC 5-590-290 for requirements.

Provisional Permits shall be issued for a minimum of 12 months but no longer than 18 months to provide time for the evaluation period. For Provisional Permits place a “P” at the end of the permit number, and include the Expiration Date below the Effective (Issue) Date.

Provisional Operation Permit issuance and expiration dates shall be tracked in a database on “ODWSHARE”.

12. PERMIT REVOCATION

A permit may be revoked pursuant to §12 VAC 5-590-320 of the *Waterworks Regulations* and VA Code §32.1-174 for:

- a. failure to comply with the conditions of the permit;
- b. violation of §32.1 of the Code or the *Waterworks Regulations*;
- c. change in ownership;
- d. abandonment;
- e. the owner has failed to pay waterworks operations fee;
- f. the waterworks has discontinued supplying water;
- g. the waterworks is no longer classified as a waterworks;
- h. the waterworks can no longer be depended upon to furnish pure water;
- i. the capacity of the waterworks is inadequate;
- j. the owner has failed to abide by an order issued by the Commissioner.

Justification for revocation needs to be evaluated on a case-by-case basis with input from the enforcement staff. In some situations, permit revocation may need to be pursued through the enforcement process.

When the permit holder is initiating the revocation, they may request permit revocation in writing; and if applicable, should specify in the request that a hearing is not required. A letter revoking the permit is then to be prepared for the Office Director's signature.

When ODW is initiating the revocation, the DE, with concurrence of the FD, will send a notice by certified mail, return receipt requested, to the permit holder stating that it is our intention to revoke the permit and the reason for the revocation. The notice shall also contain a request that the permit holder notify ODW in writing that they do or do not object to the revocation of the permit. Use the letters given in Appendices I (Notice of Intent to Revoke Permit) and J (Permit Revocation).

Two courses of action may be followed, depending on receipt of the certified mail:

- a. If the certified mail is returned undelivered, the DE should make every effort to contact the permit holder in person, or by telephone or email. If the attempts are unsuccessful, then the DE, with concurrence from the FD, will prepare a letter of revocation for the ODW Director's signature. The letter, signed by the ODW Director, will be mailed to the permit holder at the last known address by certified mail, return receipt required. If the letter is returned undelivered, it shall be retained in the correspondence file as evidence of notification, and will serve as authorization to revoke the permit.
- b. If the permit holder notifies the Office in writing that he does not object to revocation of the permit, prepare a letter for the ODW Director's signature revoking the permit. If the permit holder objects to the revocation of the permit, then a hearing must be held, in accordance with §12 VAC 5-590-160 of the *Regulations*. These situations must be referred to the Compliance Manager in the Central Office for further guidance.

ODW shall require the waterworks owner to notify all customers of the change in status if there are any unresolved water quality issues. If the owner is unable or unwilling to do so, the Field Director shall consult with the local Health Director regarding the need to notify customers directly.

ODW shall notify the local building official of the details pursuant to permit revocation, by copy of the notification letter.

END OF MEMO

APPENDIX A
Operation Permit**Facsimile Only!**

Use template located at [ODWShare:\03-Memos\301-Active Working Memos\301.02-Active Forms Letters Manuals\WM885-Operation Permit](#)



Commonwealth of Virginia
Department of Health
Office of Drinking Water

Waterworks Operation Permit

(Waterworks Owner) is hereby granted permission to operate a Class (an unclassified, I, II, III, IV, V, VI) (community / nontransient, noncommunity / transient noncommunity) waterworks having a design capacity of (flowrate in gpd, or existing units as appropriate) at (name of service area and/or name of waterworks) located in (City / Town / County) in accordance with Title 32.1 of the Code of Virginia, and the Waterworks Regulations of the Virginia Department of Health (12 VAC 5-590). This permit is issued in accordance with (previously issued permits- provide the previous operation permit number & issuance date (limit to latest one, format January 1, 2007), and ONLY the construction permit number(s) that generated this Operation Permit, as applicable. Where no previous permits are referenced the bracketed phrase should be deleted entirely) and] with the understanding that this owner will operate the waterworks in accordance with Part II, "Operation Regulations for Waterworks," of the Waterworks Regulations of the Virginia Department of Health and any variances or special requirements noted below. This permit does not suspend, minimize, or otherwise alter this owner's obligation to comply with applicable federal, state, or local laws and regulations or permits.

Variances, Exemptions, or Special Permit Requirements issued: () None () See Attached

An Engineering Description Sheet is attached dated (date, use format: January 1, 2007)

PERMIT NO.: (number)

EFFECTIVE DATE: (date, use format: January 1, 2007)

EXPIRATION DATE: (ONLY include this line for provisional & temporary permits, and insert date)

APPROVED

P.E.

Director, Office of Drinking Water

for the State Health Commissioner pursuant to VA Code § 2.2-604



APPENDIX B
City/County Code List

CITY/COUNTY CODE LIST
LOCALITY CODES

CODE	COUNTY	DISTRICT	CODE	COUNTY	DISTRICT	CODE	IND. CITY	DISTRICT
001	Accomack	22	103	Lancaster	17	510	Alexandria	08
003	Albemarle	10	105	Lee	01	515	Bedford	11
005	Alleghany	05	107	Loudoun	08	520	Bristol	01
007	Amelia	14	109	Louisa	10	530	Buena Vista	06
009	Amherst	11	111	Lunenburg	14	540	Charlottesville	10
011	Appomattox	11	113	Madison	09	550	Chesapeake	20B
013	Arlington	08	115	Mathews	18	570	Colonial Heights	19
015	Augusta	06	117	Mecklenburg	13	580	Covington	05
017	Bath	06	119	Middlesex	18	590	Danville	12A
019	Bedford	11	121	Montgomery	04	595	Emporia	19
021	Bland	03	125	Nelson	10	600	Fairfax	08
023	Botetourt	05	127	New Kent	15B	610	Falls Church	08
025	Brunswick	13	131	Northampton	22	620	Franklin	20B
027	Buchanan	02	133	Northumberland	17	630	Fredericksburg	16
029	Buckingham	14	135	Nottoway	14	640	Galax	03
031	Campbell	11	137	Orange	09	650	Hampton	21
033	Caroline	16	139	Page	07	660	Harrisonburg	06
035	Carroll	03	141	Patrick	12B	670	Hopewell	19
036	Charles City	15A	143	Pittsylvania	12A	678	Lexington	06
037	Charlotte	14				680	Lynchburg	11
041	Chesterfield	15B	145	Powhatan	15B	685	Manassas	08
043	Clarke	07	147	Prince Edward	14	687	Manassas Park	08
045	Craig	05	149	Prince George	19	690	Martinsville	12B
047	Culpeper	09	153	Prince William	08			
049	Cumberland	14	155	Pulaski	04	700	Newport News	21
						710	Norfolk	20A
051	Dickenson	02	157	Rappahannock	0	720	Norton	01
053	Dinwiddie	19	159	Richmond	17			
057	Essex	18	161	Roanoke	05	730	Petersburg	19
059	Fairfax	08	163	Rockbridge	06	735	Poquoson	21
061	Fauquier	09	165	Rockingham	06	740	Portsmouth	20A
063	Floyd	04	167	Russell	02	750	Radford	04
065	Fluvanna	10	169	Scott	01	760	Richmond	15A
067	Franklin	12A	171	Shenandoah	07	770	Roanoke	05
069	Frederick	07	173	Smyth	03			
071	Giles	04	175	Southampton	20B	775	Salem	05
						780	South Boston	12
073	Gloucester	18	177	Spotsylvania	16	790	Staunton	06
075	Goochland	15B	179	Stafford	16	800	Suffolk	20B
077	Grayson	03	181	Surry	19			
079	Greene	10	183	Sussex	19	810	Virginia Beach	20A
081	Greensville	19	185	Tazewell	02	820	Waynesboro	06
						830	Williamsburg	21
083	Halifax	13	187	Warren	07	840	Winchester	07
085	Hanover	15A	191	Washington	03			
087	Henrico	15A	193	Westmoreland	17			
089	Henry	12B	195	Wise	01			
091	Highland	06	197	Wythe	03			
093	Isle of Wight	20A	199	York	21			
095	James City	21						
097	King and Queen	18						
099	King George	16						
101	King William	18						

APPENDIX C
Engineering Description SheetVIRGINIA DEPARTMENT OF HEALTH
ENGINEERING DESCRIPTION SHEET**DATE:****WATERWORKS NAME:****WATERWORKS CLASS:****COUNTY/CITY:****TYPE:****LOCATION:***physical directions to facility from a known landmark or highway intersection***OWNER:***corporation, municipality, individual as appropriate***Contact:** *administrative contact name**Address, city, state, zip code***Phone:****OPERATOR:**

Licensed Class (I, II, III, IV, V, VI) Operator Required

PERMIT NUMBER:

*** *** ***

*(Optional: include previous operation permits for current owner)***EFFECTIVE DATE:**

*** *** ***

TYPE OF TREATMENT:*list all unit treatment processes***SOURCE:***groundwater wells, springs or surface water source(s)***DESIGN CAPACITY:**

_____ gpd or other basis

DESCRIPTION OF THE WATERWORKS**Operation Permit History:** *(optional; may be included to clarify complex history)**This waterworks was previously permitteddescribe previous ownership, names, dates etc.***The waterworks consists of**

- Detailed narrative
- Follow water from source to distribution
- Use subject headings for clarity

OTHER PERMITS*Select as applicable:*

The Department of Environmental Quality has (developed a draft)/ (issued a) Groundwater Withdrawal Permit (No. _____) covering this waterworks.

APPENDIX C(continued)
Engineering Description Sheet

The Department of Environmental Quality (, Virginia Marine Resource Commission, and the U.S. Army Corps of Engineers) has (developed a draft) / (issued a) Virginia Water Protection Permit (Joint Permit) covering this waterworks.

(If a final permit has been issued, then summarize the hydraulic / capacity limitations of the permit here. Refer to WM 865 for further guidance.)

Compliance with the conditions and requirements of the (name of DEQ permit type) permit shall not limit the authority of the Health Department to assign a capacity to the waterworks, based on the evaluation as follows.

CAPACITY EVALUATION OF THE WATERWORKS

Design Basis: Cite the Regulations section for usage, ERC definition, etc.

- | | | |
|--|---|-----------------|
| <ol style="list-style-type: none"> 1. Estimated Water Usage: <i>(include with all TNCs and others without meters)</i> 2. Source Capacity: 3. Treatment Capacity: 4. Storage and Delivery Capacity: | } | Refer to WM 865 |
|--|---|-----------------|

Include with permits issued to wholesalers or primary waterworks that provide water to one or more consecutive waterworks:

Water production and storage is allocated to the following consecutive waterworks as follows:

Waterworks Name	PWSID	Permit Capacity (gpd)	Delivered Capacity (gpd)	Total Storage Required ¹ (gal*1000)	Storage Provided-Consecutive ² (gal*1000)	Storage Provided – Primary ³ (gal*1000)
<i>Total</i>	-					

1. Total storage required by the consecutive waterworks.
2. Total effective storage provided by the consecutive waterworks.
3. Total effective storage provided by this (primary) waterworks.

Conclusions: :

for community waterworks:

This waterworks is permitted for a design capacity of ___ gallons/day or ___ ERC, due to (limited source capacity) (limited storage capacity) *(other explanation- Refer to WM 865 for further guidance)* described above. This permit does not suspend, minimize, or otherwise alter this owner's obligation to comply with applicable federal, state, or local laws and regulations or permits.

for noncommunity waterworks:

This waterworks is permitted for a design capacity of ___ gallons/day or *[describe existing connections]*, due to the (limited source capacity) (limited storage capacity) *(other explanation- Refer to WM 865 for further guidance)* described above. This permit does not suspend, minimize, or otherwise alter this owner's obligation to comply with applicable federal, state, or local laws and regulations or permits.

APPENDIX C(continued)
Engineering Description Sheet

add for grandparented waterworks (if insufficient data available to establish hydraulic capacity):

Until (information on the well yield and pump capacity is provided and) the need for additional (source capacity) (treatment capacity) (storage capacity) is evaluated, the permitted capacity is limited to the existing connections/services. This permit does not suspend, minimize, or otherwise alter this owner's obligation to comply with applicable federal, state, or local laws and regulations or permits.

Facsimile Only!

Use template located at [ODWShare\03-Memos\301-Active Working Memos\301.02-Active Forms Letters Manuals\WM885-Operation Permit](#)

APPENDIX D
Operation Permit Checklist

**OFFICE OF DRINKING WATER
OPERATION PERMIT CHECKLIST**

TO:	J. Wesley Kleene, Ph.D., P.E. Director, ODW
FROM:	, P.E. Engineering Field Director Environmental Engineering Field Office
County/ City:	
Waterworks:	
Type (<i>circle</i>)	C NTNC TNC Consecutive
Permit Type (<i>circle</i>)	New or Amended → change in (<i>circle one</i>): Name Ownership Capacity Treatment
Name of Waterworks:	

<input type="checkbox"/>	1. Operation Permit & Engineering Description Sheet (originals) post-dated at least 5 working days after sent to Central Office
<input type="checkbox"/>	2. Variance, Exemption, or Special Permit Requirements
<input type="checkbox"/>	3. Engineer's statement(s) of completion
<input type="checkbox"/>	4. Final inspection report(s)
<input type="checkbox"/>	5. Waterworks permit application (if initiated by owner)
<input type="checkbox"/>	6. Combined Distribution System Schematic updated
<input type="checkbox"/>	7. SDWIS and R&E records created or updated

OTHER REQUIREMENTS	Not Required	Satisfactory- Approval Date	Not Approved - Explain
Business Operations Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Licensed Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cross Connection Control Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bacteriological Sample Site Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DDEP Sampling Plans (TTHM, CL2, TOC, Crypto, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LCR Sampling Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GWUDI Determination: Well No. x (expand as needed for multiple wells)	<input type="checkbox"/>	<input type="checkbox"/>	*
M.Q.R. Requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RELIABILITY VERIFICATION "Grandparented" Waterworks	No History*	Satisfactory	Unsatisfactory** - Explain
Water Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hydraulic Capacity - Adequate Pressure, Water Outages, Leaks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* Temporary permit required to obtain data

** Temporary Permit required to correct deficiencies.

COMMENTS:

APPENDIX E
Transmittal Letter to Owner

INSTRUCTIONS: Complete / select items shown with ____ and *italics*. Print on VDH letterhead.

SUBJECT: (*County / City*)
Water – (*Waterworks Name*)

(*Date*)

Waterworks Owner
Address 1
Address 2
City, State, Zip Code

Dear (*Waterworks Owner*)

Enclosed please find Waterworks Operation Permit No. _____ with an effective date of _____ issued by the Commonwealth of Virginia Department of Health, Office of Drinking Water. This permit is your authorization from the State Health Commissioner to operate the subject waterworks located in (*County/ City name*) in accordance with the *Waterworks Regulations*. This permit is not transferable. This permit does not suspend, minimize, or otherwise alter this owner's obligation to comply with applicable federal, state, or local laws and regulations or permits.

Optional paragraph #1 (If amended permit):

This permit is an amendment of the previously issued permit dated _____, due to the provide a brief explanation for the revision. This revised permit replaces and nullifies the original permit which should be destroyed immediately.

You will note that the permit indicates that this waterworks has a design capacity of _____. This limit is based on (the existing system usage and shall not be exceeded.) (the maximum capacity of the system and shall not be exceeded.)

Optional paragraph #2 (If permit issued to a "grandparented" waterworks):

Please note that any expansion of service, modification to the waterworks, failure to maintain reliability, or future sale of the waterworks may require an engineering evaluation of the entire waterworks, and compliance with Part III of the *Waterworks Regulations*.

Optional paragraph #3 (If waterworks in violation and Temporary Permit issued):

Regulation _____ states _____. The _____ waterworks may be in violation of this requirement in that _____. The Virginia Department of Health requests that you _____ so that the waterworks may operate in compliance with the *Waterworks Regulations*.

Optional paragraph #4 (If Special Permit Requirements are attached):

Special Permit Requirements are included for this waterworks. (*Add brief description*).

Optional paragraph #5 (If a Variance is included):

A variance to the *Waterworks Regulations* is included for this waterworks. (*Add brief description, including time limits, if any*).

APPENDIX E (continued)
Transmittal Letter to Owner*Optional paragraph #6 (If well sources subject to Groundwater Withdrawal Permit by DEQ):*

The enclosed Waterworks Operation Permit specifies a maximum volume that this waterworks may produce, in terms of gallons per day. This capacity is based on public health requirements and the application of engineering principles. The Department of Environmental Quality has also (issued a/developed a draft) Groundwater Withdrawal Permit covering this waterworks, based on conservation of water as a natural resource. Both permits apply to you as a waterworks, and you are responsible for complying with each permit.

Optional paragraph #7 (If waterworks has been or will be issued a Virginia Water Protection Permit or a Joint Permit from DEQ, VMRC and Corps of Engineers for surface water withdrawal):

The enclosed Waterworks Operation Permit specifies a maximum volume that this waterworks may produce, in terms of gallons per day. This capacity is based on public health requirements and the application of engineering principles. The Department of Environmental Quality (, Virginia Marine Resource Commission, and the U.S. Army Corps of Engineers) has (developed a draft) / (issued a) Virginia Water Protection Permit (Joint Permit) covering this waterworks. Both permits apply to you as a waterworks, and you are responsible for complying with each permit.

We look forward to your (continued) cooperation in the maintenance and operation of this public waterworks.

Sincerely,

District Engineer

cc: _____ County Health Department
_____ County Administrator
_____ County Building Official
if applicable: name, DEQ _____ Regional Office
VDH – ODW, Central Office

APPENDIX F
Variance

INSTRUCTIONS: Complete / select items shown with ____ and *italics*. Print on VDH (Central Office) letterhead.

VARIANCE

PWSID No. _____

Select as applicable:

For Community, NTNC Systems, and TNC systems with production greater than 10,000 gpd:

This Variance is issued in accordance with Section 12VAC5-590-140 of the *Waterworks Regulations* of the Virginia Department of Health. This Variance is to Section ____ and ____ of the *Waterworks Regulations*. This Variance is issued with the following conditions:

1. By (*one year from date of permit*), the (*Waterworks name*) must provide metering of total water production.
2. By (*one year from date of permit*), the (*Waterworks name*) must establish or cause to be established and have in operation a cross-connection and backflow prevention program consistent with the extent of the system and type of consumer served.
3. Operation of this system is permitted with (a sole) operator(s) in attendance, having less than a Class ____ waterworks license, provided that the operator(s) (has)/(have) reliable communication with the Operator in Responsible Charge (OIRC) having a Class ____ or Class ____ license. The operator must obtain confirmation from the OIRC prior to making changes in _____. *Add other conditions, and a deadline for obtaining a properly licensed operator, as appropriate.*

For existing (found or grandparented) TNC Systems

This Variance to 12 VAC 5-590-520 of the *Waterworks Regulations* allows operation of this waterworks without metering of total water production, subject to the following conditions:

1. Total water production does not exceed 10,000 gallons per day (gpd).
2. This Variance will be automatically revoked at such time that the total water production exceeds 10,000 gpd.
3. This Variance will be automatically revoked at such time that a meter is installed.

For All Systems:

- #. This Variance is nontransferable and must be attached to the Operation Permit
- #. This Variance is a condition of the Operation Permit and is revoked when the Permit is revoked.

Approved: _____, P.E.
Director, Office of Drinking Water
For the State Health Commissioner pursuant to VA Code § 2.2-604

Date: _____

APPENDIX G
Notice of Intent to Amend Permit

INSTRUCTIONS: Complete / select items shown with ____ and *italics*. Print on VDH letterhead.

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

SUBJECT:

Water-

(Date)

Waterworks Owner

Address 1

Address 2

City, State, Zip Code

Dear (*Waterworks Owner*)

You are hereby notified of our intent to amend Virginia Department of Health Operation Permit Number _____ (and its associated Engineering Description Sheet) issued on _____ covering the operation of the waterworks at (*service area name*) in (*City / County name*), Virginia. This amendment is in accordance with the provisions of *Code of Virginia* §32.1-173 and §12 VAC 5-590-310 of the *Waterworks Regulations*. VDH proposes to amend the permit due to (the addition of _____) (the deletion of _____) (a change in the design capacity of the waterworks due to _____.) A draft of the proposed Engineering Description Sheet for the amended permit is enclosed for your review.

If you object to the amendment you have the right to a hearing, and may send a written request to schedule a hearing, no later than 30 calendar days from the date that you or your agent signs for this certified letter. Please use the attached form for this purpose and send it to this office. If VDH does not hear from you within that time frame (or if this certified letter is returned to us for non-receipt), we will immediately amend the permit and send you written confirmation of our action.

If we can be of further assistance, please contact me.

Sincerely,

District Engineer

cc: _____ County Health Department
_____ County Administrator
_____ VDH – ODW, Central Office

APPENDIX G (continued)
Notice of Intent to Amend Permit

OBJECTION AND REQUEST FOR A HEARING

This is to advise Virginia Department of Health that I, _____,
object to the amendment proposed by Virginia Department of Health dated _____
of Waterworks Operation Permit No. _____ for _____
located in _____
and request a hearing in accordance with §12 VAC 5-590-160 of the *Waterworks Regulations*.

My specific objection(s) to the proposed amendment are as follows:

(Name)

(Date)

(Title)

APPENDIX H
Special Permit Requirements

INSTRUCTIONS: Complete / select items shown with ____ and *italics*. Print on VDH (Central Office) letterhead.

SPECIAL PERMIT REQUIREMENTS

PWSID No. _____

These Permit Requirements are issued by the State Board of Health of the Commonwealth of Virginia under authority granted by *Code of Virginia* Title 32.1. Failure to comply with these Requirements shall constitute a violation of the Permit.

Include as required:

Specific monitoring, reporting, and operations requirements. (Standard or Provisional Permits)

Itemize improvements, submittals, activities, etc. (Temporary Permits). Examples:

Perform the following actions by the expiration date of this Temporary Operation Permit:

1. Install a second well to increase total source capacity, in accordance with the procedures and design requirements of the *Regulations*.
2. Replace the failed --- gallon storage tank with gravity storage tank having a minimum capacity of --- gallons, adhering to the design, construction, and disinfection requirements of the *Regulations*.
3. Install a meter upstream of the treatment units at well no. 1. Record meter readings at a minimum frequency of 3/week for a period of 18 months. Analyze for --- at a minimum of 1/month and report these values with the meter readings in the Monthly Operation Report submitted to the Virginia Department of Health.
4. Perform a 48-hour yield and drawdown test on well no. 1, in accordance with the *Regulations*, and submit the results to the Virginia Department of Health.

Approved: _____, P.E.

Director, Office of Drinking Water

For the State Health Commissioner pursuant to VA Code § 2.2-604

Date: _____

APPENDIX I
Notice of Intent to Revoke Permit

INSTRUCTIONS: Complete / select items shown with _____ and *italics*. Print on VDH letterhead.

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

SUBJECT:

Water-

(Date)

Waterworks Owner

Address 1

Address 2

City, State, Zip Code

Dear (*Waterworks Owner*)

You are hereby notified that it is our intent to revoke Virginia Department of Health Operation Permit Number _____ issued on _____ covering the operation of the waterworks at (*service area name*) in (*City / County name*), Virginia. Revocation is in accordance with the provisions of *Code of Virginia* §32.1-174 and §12 VAC 5-590-320 of the *Waterworks Regulations*. VDH proposes to revoke the permit because (of the change of ownership from (*previous legal owner name*) to (*new legal owner name*)) (there is less than 15 connections and less than 25 people served by this waterworks.) (the infrastructure has been connected and service has been conveyed to *waterworks name* (PWSID# _____)).

If you agree to the revocation of this permit, please sign and date the statement at the bottom of this letter and return it to this office. If you object to the revocation you have the right to a hearing, and may send a written request to schedule a hearing to this Office no later than 30 calendar days from the date that you or your agent signs for this certified letter. If VDH does not hear from you within that time frame (or if this certified letter is returned to VDH for non-receipt), we will immediately revoke the permit and send you written confirmation of our action.

A copy of this letter is enclosed for your records.

If we can be of further assistance, please contact me at (*Phone number*),.

Sincerely,

District Engineer

cc: _____ County Health Department
 _____ County Administrator
 _____ County Building Official
 VDH - ODW, Central Office

This is to advise VDH that I, _____, have no objection to the revocation of
 (Print Name)

Waterworks Operation Permit No. _____, issued (*date*) for (*Waterworks name*)

located in (*City/County*).

 (Name and Title)

 (Date)

APPENDIX J
Permit Revocation Letter

INSTRUCTIONS: Complete / select items shown with _____ and *italics*. Print on VDH (Central Office) letterhead.

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

SUBJECT:

Water-

(Date)

Waterworks Owner

Address 1

Address 2

City, State, Zip Code

Dear (Waterworks Owner)

In accordance with *Code of Virginia* §32.1-174 and §12 VAC 5-590-320 of the *Waterworks Regulations*, you are hereby notified of the revocation of Virginia Department of Health Permit Number _____ issued on _____ covering the operation of the waterworks at (service area name) in (County name or City), Virginia. The permit is being revoked because (the change of ownership from (previous legal owner name) to (new legal owner name)) (there being less than 15 connections and less than 25 people served by this waterworks) (the waterworks has connected to _____ and no longer produces drinking water). Revocation is to become effective upon receipt (or return for non-receipt) of this letter.

By direction of the State Health Commissioner.

Sincerely,

J. Wesley Kleene, Ph.D., P.E.
Director, Office of Drinking Water

cc: _____ County Health Department
_____ County Administrator
_____ County Building Official
VDH - ODW, _____ Field Office